

Appln No. 10/748,811
Amdt date September 3, 2009
Reply to Office action of March 3, 2009

REMARKS/ARGUMENTS

In the Office action dated March 3, 2009, the Examiner rejected claims 1-23 under 35 U.S.C. §103(a) as allegedly obvious over Buelna, et al. (U.S. Patent No. 5,605,539) in view of Gentelia, et al. (U.S. Patent No. 5,267,994). In making this rejection, the Examiner argues that the recitation, "attached at a single location," does not preclude attachment at an additional location, and the Examiner apparently relies on Gentelia as disclosing that limitation. However, independent claims 1 and 7 recite that the electrode is rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode *between the first and second ends*. Neither Buelna nor Gentelia teach or suggest such a feature. Rather, Gentelia appears to disclose a hockey stick shaped insulative member, or a an end face of a tip that is angled. Column 3, lines 17-32 and 45-55. As such, Gentelia fails to teach or suggest that the electrode is rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode *between the first and second ends*. Accordingly, independent claims 1 and 7, and all claims dependent therefrom, including claims 2-6 and 8-22, are allowable over Buelna and Gentelia.

The Examiner also rejected claims 24-27 under 35 U.S.C. §103(a) as allegedly obvious over Buelna and Gentelia in view of Haissaguerre, et al. (U.S. Patent No. 6,068,629). However, each of claims 24-27 depends from independent claim 7, which is allowable over Buelna and Gentelia, as discussed above. Haissaguerre fails to remedy the deficiencies of Buelna and Gentelia, as Haissaguerre fails to teach or suggest a non-retractable electrode rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode between the first and second ends. Accordingly, independent claim 7, and all claims dependent therefrom, including claims 24-27, are allowable over Buelna, Gentelia and Haissaguerre.

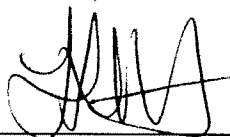
Additionally, claim 23 recites that the single location along the elongated body is approximately equidistant between the first and second ends. Similarly, new independent claim 28 recites a non-retractable electrode rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode approximately equidistant between the

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first and second ends. Notwithstanding the failure of Buelna, Gentelia and Haissaguerre to disclose a non-retractable electrode rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode between the first and second ends, none of these references, alone or in combination, teach or suggest a *non-retractable* electrode rigidly attached to the distal end of the probe body at a single location along the elongated body of the electrode *approximately equidistant* between the first and second ends. Accordingly, claim 23 and new claim 28 are allowable over Buelna, Gentelia and Haissaguerre.

Claims 1-28 are now pending in this application. By this amendment, Applicant has amended claim 23 solely to correct antecedent basis, and added new claim 28. The amendments and new claim find full support in the original specification, claims and drawings, and no new matter is presented. In light of the above amendments and remarks, Applicant submits that all of pending claims 1-28 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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